



Order Filed on October 7, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

Friedman Vartolo LLP  
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Attorneys for Secured Creditor Fay Servicing, LLC as  
servicer for Wilmington Trust, National Association,  
not in its individual capacity, but solely as trustee of  
MFRA Trust 2016-1

In Re:

Peter M. Walsh and Mary Walsh aka Mary Patti

Debtor(s).

Case No.: 18-16895-MBK

Chapter: 13

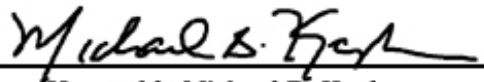
Hearing Date:  
September 23, 2020 at 10:00 A.M.

Hon. Judge:  
Michael B. Kaplan

**CONSENT ORDER RESOLVING MOTION TO VACATE STAY**

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby  
**ORDERED.**

**DATED: October 7, 2020**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Applicant: Fay Servicing, LLC as servicer for Wilmington Trust, National Association, not in its individual capacity, but solely as trustee of MFRA Trust 2016-1  
Applicant's Counsel: Friedman Vartolo LLP  
Debtor's Counsel: Eugene D. Roth  
Property (Collateral): 237 Katie Lynn Court, Brick, NJ 08723

Relief Sought:

- Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of Post-Petition Arrearages:

- The Debtor is overdue for 7 months, for March 1, 2020 to September 1, 2020
- The Debtor is overdue for 7 payments at \$3,321.60 per month.
- Monies in Suspense credited to Debtor in the amount of \$3,047.95

Total Arrearages Due: \$20,203.25

2. Cure for Post-Petition Arrearages:

- Immediate double payment shall be made in the amount of \$6,643.20. Payment shall be made no later than September 30, 2020.
- Remaining balance of arrears, in the amount of \$13,560.05, shall be paid through a modified plan, to be filed within fourteen (14) days of the entered order.
- Beginning on October 1, 2020, regular monthly payments shall resume in the amount of \$3,321.60, or as further defined by the terms of the Note, Mortgage, or any payment change notices.

3. Payments to the Secured Creditor shall be made to the following address:

- Payments: Fay Servicing  
P.O. Box 814609  
Dallas, TX 75831

In the event of default:


If the Debtor(s) fails to make the immediate payment specified above, or fails to file the modified plan later than fourteen (14) days after entry of the order, or fails to make the regular

monthly payments, within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, Certification specifying the Debtor(s)'s failure to comply with this Order. At the time the Certification is filed with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and the Debtor(s)'s Attorney.

4. Award of Attorney's Fees:

- The Applicant is awarded Attorney's Fees in the amount of \$350.00 and Attorney's Costs in the amount of \$181.00. The fees and costs are payable through the Chapter 13 Plan.

The undersigned hereby consent to the form and entry of the foregoing order.

  
\_\_\_\_\_  
Eugene D. Roth, Esq.  
*Attorney for Debtor*

/s/ Jonathan Schwalb, Esq.  
Jonathan Schwalb, Esq.  
*Attorney for Secured Creditor*

In re:  
Peter M. Walsh  
Mary Walsh  
Debtor(s)

Case No. 18-16895-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Oct 07, 2020

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 09, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Peter M. Walsh, Mary Walsh, 237 Katie Lynn Court, Brick, NJ 08723-6353

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
jdb	*+	Mary Walsh, 237 Katie Lynn Court, Brick, NJ 08723-6353

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 09, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 7, 2020 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Elizabeth L. Wassall	on behalf of Creditor WELLS FARGO BANK N.A. ewassall@logs.com, njbankruptcynotifications@logs.com
Elizabeth L. Wassall	on behalf of Loss Mitigation WELLS FARGO BANK ewassall@logs.com njbankruptcynotifications@logs.com

District/off: 0312-3

User: admin

Page 2 of 2

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Form ID: pdf903

Total Noticed: 1

Eugene D. Roth

on behalf of Debtor Peter M. Walsh erothesq@gmail.com

Eugene D. Roth

on behalf of Joint Debtor Mary Walsh erothesq@gmail.com

Jonathan C. Schwalb

on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust  
2016-1 bankruptcy@friedmanvartolo.com

Jonathan C. Schwalb

on behalf of Creditor Fay Servicing LLC bankruptcy@friedmanvartolo.com

Kevin Gordon McDonald

on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust  
2016-1 kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10